

AMENDED IN SENATE MAY 31, 2005  
AMENDED IN SENATE MARCH 31, 2005  
AMENDED IN SENATE MARCH 29, 2005

**SENATE BILL**

**No. 93**

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**Introduced by Senator Florez**  
(Principal coauthor: Assembly Member Maze)  
**(Coauthor: Senator Ashburn)**  
(Coauthors: Assembly Members Arambula, Parra, and Villines)

January 14, 2005

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An act relating to local government finance.

LEGISLATIVE COUNSEL'S DIGEST

SB 93, as amended, Florez. Local government finance: Tulare County.

Existing law requires counties to distribute various fines, fees, forfeitures, and penalties according to prescribed schedules in each fiscal year.

This bill would provide for repayment ~~over 10 years~~ *by not later than January 1, 2007*, by the County of Tulare of the amounts it owes to the Trial Court Trust Fund and the Trial Court Improvement Fund due to the incorrect distribution of fines, fees, forfeitures, and penalties made by the County of Tulare in the 1996-97 to 1999-2000 fiscal years, inclusive.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) Notwithstanding any other provision of law,  
2 the County of Tulare may have ~~10 years from the date of~~  
3 ~~enactment of this section~~ *until January 1, 2007*, to repay the  
4 amounts it owes to the Trial Court Trust Fund and the Trial Court  
5 Improvement Fund due to the incorrect distributions of fines,  
6 fees, forfeitures, and penalties by the County of Tulare for the  
7 1996-97 to 1999-2000 fiscal years, inclusive. Notwithstanding  
8 subdivision (i) of Section 68085 of the Government Code, the  
9 interest and penalties imposed by the state on the principal  
10 amounts owed by Tulare County, as specified in subdivision (a),  
11 shall not exceed the ~~average interest rate charged on loans by the~~  
12 ~~Pooled Money Investment Board, pursuant to Section 16495.5 of~~  
13 ~~the Government Code, during the period from January 1, 2001, to~~  
14 ~~January 1, 2005:~~ *average of Annual Earnings Rates for the*  
15 *Pooled Money Investment Account for the 1996-97 to 2003-04*  
16 *fiscal years, inclusive.*

17     (b) With respect to subdivision (a), the Legislature finds and  
18 declares that a special law is necessary and that a general law  
19 cannot be made applicable within the meaning of Section 16 of  
20 Article IV of the California Constitution because of unique  
21 circumstances applicable to the County of Tulare. The County of  
22 Tulare made distributions of fines, fees, forfeitures, and penalties  
23 to the state for the 1996-97 to 1999-2000 fiscal years, inclusive,  
24 in good faith and reasonable belief that its methods of  
25 distribution of fines complied with all applicable statutes and  
26 these methods were not audited or reviewed by either the  
27 Department of Finance or the Controller until the end of the  
28 1999-2000 fiscal year.

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